

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, JUNE 6, 2006

WHEREAS, Section 13307 of the Elections Code of the State of California provides that the governing body of any local agency adopt regulations pertaining to materials prepared by any candidate for a municipal election, including costs of the candidate's statement;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LOMA LINDA, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. GENERAL PROVISIONS That pursuant to §13307 of the Elections Code of the State of California, each candidate for elective office to be voted for at an Election to be held in the City of Loma Linda on Tuesday, June 6, 2006, may prepare a candidate's statement on an appropriate form provided by the City Clerk. The statement may include the name, age and occupation of the candidate and a brief description of no more than two hundred (200) words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement shall be filed in typewritten form and on disk in the office of the City Clerk at the time the candidate's nomination papers are filed. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

SECTION 2. FOREIGN LANGUAGE POLICY Pursuant to the Federal Voting Rights Act, the County of San Bernardino is required to translate candidates' statements into Spanish.

The City Clerk shall have all candidates statements translated into Spanish and shall print all translations of all candidates' statements in the voters' pamphlet.

SECTION 3. PAYMENT The candidate shall be required to pay for the cost of translating the candidate's statement into any required foreign language pursuant to Federal and/or State Law. The candidate shall be required to pay for the cost of translating the candidate's statement into any foreign language that is not required, pursuant to Federal and/or State law, but is requested as an option by the candidate.

The candidate shall be required to pay for the cost of printing the candidate's statement in English and a foreign language in the voter's pamphlet.

The City Clerk shall estimate the total cost of printing, handling, translating, and mailing the candidate's statements filed pursuant to this section, including costs incurred as a result of complying with the Voting Rights Act of 1965 (as amended), and require each candidate filing a statement to pay in advance to the local agency his or her estimated pro rata share as a condition of having his or her statement included in the voter's pamphlet. In the event the estimated payment is required, the estimate is just an approximation of the actual cost that varies from one election to another election and may be significantly

more or less than the estimate, depending on the actual number of candidates filing statements. Accordingly, the Clerk is not bound by the estimate and may, on a pro rata basis, bill the candidate for additional actual expense or refund any excess paid depending on the final actual cost. In the event of underpayment, the Clerk may require the candidate to pay the balance of the cost incurred. In the event of overpayment, the Clerk shall prorate the excess amount among the candidates and refund the excess amount paid.

SECTION 4. ADDITIONAL MATERIALS. No candidate will be permitted to include additional materials in the sample ballot package.

SECTION 5. That the City Clerk shall provide each candidate or the candidate's representative, a copy of this Resolution at the time nominating petitions are issued.

SECTION 6. That all previous resolutions establishing City Council policy on payment for candidates statements are repealed.

SECTION 7. That this resolution shall apply only to the election to be held on June 6, 2006 and shall then be repealed.

SECTION 8. That the City Clerk shall certify to the passage and adoption of this resolution, and enter it into the book of original resolutions.

PASSED, APPROVED AND ADOPTED on this 24th day of January 2006 by the following vote:

Ayes:

Noes:

Absent:

Floyd Petersen, Mayor

ATTEST:

Pamela Byrnes-O'Camb, City Clerk